

# Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
[www.merchant-gould.com](http://www.merchant-gould.com)

A Professional Corporation

**Fax Transmission | April 26, 2004**

TO: Commissioner for Patents  
Attn: Examiner C. Ostrup  
P.O. Box 1450  
Alexandria, VA 22313-1450

FROM: Anna M. Nelson

OUR REF: 12996.5USU1  
TELEPHONE: 612.336.4701

**RECEIVED**  
**CENTRAL FAX CENTER**  
**APR 26 2004**

**OFFICIAL**

Total pages, including cover letter: 16

**PTO FAX NUMBER 1-703-872-9306**

If you do NOT receive all of the pages, please telephone us at 612.332.5300, or fax us at 612.332.9081.

Title of Document Transmitted:

Amendment Under 37 C.F.R. 1.116, Terminal Disclaimer to Obviate a Double Patenting Rejection, and copy of previously filed name change assignment papers

Applicant: Ninkov  
Serial No.: 09/974,719  
Filed: October 9, 2001  
Group Art Unit: 1614  
Our Ref. No.: 12996.5USU1  
Confirmation No. 7844

Please charge Deposit Account No. 13-2725 in the amount of \$110.00 for terminal disclaimer fee and \$86.00 for additional independent claim fee. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Anna M. Nelson  
Name: Anna M. Nelson  
Reg. No.: 48,935

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Victoria Hanson  
Victoria Hanson

April 26, 2004  
Date

RECEIVED  
CENTRAL FAX CENTER

**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1614**

APR 26 2004

S/N 09/974719

PATENT**OFFICIAL**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ninkov	Examiner:	Ostrup
Serial No.:	09/974719	Group Art Unit:	1614
Filed:	October 9, 2001	Docket No.:	12996.5USU1
Title:	COMPOSITIONS FOR INJECTION OR INTRAVENOUS ADMINISTRATION FOR THE TREATMENT OF INTERNAL INFECTION OR INFLAMMATION IN HUMANS AND ANIMALS		
Customer No.:	23552	Confirmation No.:	7844

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703.872.9306 on April 26, 2004.

By: *Victoria Hanson*  
Name: Victoria Hanson

AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed February 25, 2004, please amend the above-identified application as follows and enter the attached terminal disclaimer and appropriate fee:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 7 of this paper.